

By: Zaffirini

S.B. No. 2042

A BILL TO BE ENTITLED

AN ACT

relating to the administration of a medication, immunization, or vaccination by a pharmacist.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 554.004, Occupations Code, is amended to read as follows:

Sec. 554.004. ADMINISTRATION OF MEDICATION, IMMUNIZATION, OR VACCINATION.

SECTION 2. Section 554.004(a), Occupations Code, is amended to read as follows:

(a) The board shall specify conditions under which a pharmacist may administer medication, including an immunization or ~~and~~ vaccination. The conditions for the administration of an immunization or vaccination must ensure that:

(1) ~~[a licensed health care provider authorized to administer the medication is not reasonably available to administer the medication,~~

~~[(2) failure to administer the medication, other than an immunization or vaccination, might result in a significant delay or interruption of a critical phase of drug therapy,~~

~~[(3)]~~ the pharmacist possesses the necessary skill, education, and certification as specified by the board to administer the immunization or vaccination ~~[medication]~~;

(2) ~~[(4)]~~ within a reasonable time after

1 administering an immunization or vaccination [~~medication~~], the  
2 pharmacist notifies the licensed health care provider responsible  
3 for the patient's care that the immunization or vaccination  
4 [~~medication~~] was administered;

5 (3) [~~(5)~~] the pharmacist may not administer an  
6 immunization or vaccination [~~medication~~] to a patient at the  
7 patient's residence, except at a licensed nursing home or hospital;

8 (4) [~~(6)~~] the pharmacist administers an immunization  
9 or vaccination under a physician's written protocol and meets the  
10 standards established by the board; and

11 (5) [~~(7)~~] the authority of a pharmacist to administer  
12 an immunization or vaccination [~~medication~~] may not be delegated.

13 SECTION 3. Sections 554.052(a) and (c-1), Occupations Code,  
14 are amended to read as follows:

15 (a) The board by rule shall require a pharmacist to notify a  
16 physician who prescribes an immunization or vaccination [~~within 24~~  
17 ~~hours~~] after the pharmacist administers the immunization or  
18 vaccination. The physician shall prescribe the period for providing  
19 notice and the form of the notice in the physician's written  
20 protocol. The period for providing notice may not be later than the  
21 14th day after the date the immunization or vaccination is  
22 administered.

23 (c-1) A pharmacist may administer an influenza, Tdap, human  
24 papillomavirus, or meningococcal vaccination to a patient who is at  
25 least [~~over~~] seven years of age without an established  
26 physician-patient relationship.

27 SECTION 4. This Act takes effect September 1, 2017.